

# BULLETIN

SPRING 2006

[WWW.MICHIGAN.GOV/BCCFS](http://WWW.MICHIGAN.GOV/BCCFS)



## DIRECTOR'S COLUMN

### HENRY L. GREEN

On March 6, I had the pleasure to attend the Governor's Construction Safety and Health Forum. The theme for the forum was "Learn How Protecting Workers Can enhance Your Bottom Line and Make Michigan A Worldwide Leader in the Global Economy."

First, I extend my sincere gratitude to the employees of the Michigan Occupational Safety and Health Administration (MIOSHA) for doing a fine job of coordinating the day-long event packed with informative sessions and dynamic speakers.

The forum was dedicated to creating an environment where every construction worker goes home healthy and whole everyday. At the Bureau of Construction Codes and Fire Safety, we are doing our part by updating Michigan's codes with an eye toward safety, efficient construction practices and cost effective standards. Further, with the implementation of the single state code, on site safety standards are consistent throughout the state and have led to the enhanced safety of the workers and buildings in Michigan. The single state code provides the construction industry and building owners with greater reliance on the safety provisions of the state codes and a simplified compliance method on a statewide basis.

*Continued on next page.*

## HISTORIC 4-YEAR REGISTRATION CYCLE TO END

Scott D. Fisher, Director  
Office of Local Government and Consumer Services

As the bureau approached the renewal of inspector registrations in September 2002, it was presented with several challenges that had to be considered. The Stille-DeRossett-Hale Single State Construction Code Act had been amended, and for the first time in history, all code enforcement agencies in the state of Michigan were required to enforce the same codes. As a result of the changes, all continuing education programs and instructors that had been approved for the previous cycle were extended for another year. The extension brought program and instructor approvals in line with the adoption of the 2003 Michigan Codes. The extensions were granted with the understanding that all training material referencing the act or the codes would reflect changes as they occurred.

Moving to a single state code also eliminated the need for the two-cycle registration system that had been in place since 1986. In order to blend both cycles, which ended one year apart, the 2002-2005 registration cycle was changed to a four-year cycle to coincide with the end of the 2003-2006 cycle. The one-year extension also added to the number of continuing education hours that were required for inspectors to re-register in 2006.

Blending the expiration dates of the inspector registration cycles, the content and expiration dates of continuing education programs and instructor approval process has been quite a task. Along the way the bureau also processed 846 inspector registration applications, approximately 2,000 continuing education programs and 266 new instructor applications.

Of the 846 inspector applications that were reviewed and processed, 484 were approved. It is estimated that over 95% of the 362 applicants who were denied or canceled was a result of lack of evidence of their experience as required by the rules for registration. In addition, 1,751 of the approximate 2,000 continuing education programs that were reviewed were approved. Along with the 266 new instructors that were approved, 282 were renewed.

During this cycle the bureau added a new training site - the MTEC facility at Lansing Community College. The new partnership with MTEC and the long standing one the bureau has with the MacMullan Center at Higgins Lake provided the opportunity to arrange training for almost 1,000 inspectors from across the state.

With the addition of the new inspectors, instructors, education programs, and training endeavors, September of 2006, and the three-year cycle that follows, look to be busy times. The renewal process will include over 2,400 inspectors, 1,751 programs and 548 instructors. The years to follow will include new inspector, program, and instructor applications, and training initiatives.

Our gratitude is extended to all of you who assisted us in accomplishing our goals and objectives, and making it a pleasure to serve you. Your continued cooperation and understanding of the rules governing registration, and continuing education will assist us greatly. Thank You.

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**NOTICE - ELECTRICAL RULES FORUM - JUNE 20**  
**INFORMATION IS ON THE BUREAU'S WEB SITE AT:**

**[WWW.MICHIGAN.GOV/BCCFS](http://WWW.MICHIGAN.GOV/BCCFS).**

# BOILER DIVISION

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## WHY WE NEED TO REMEMBER THERE IS A BOILER LAW

### DIRECTOR'S COLUMN, CONTINUED

Michigan continues to lead the country in worker and building safety initiatives. Rightly so, about four percent of Michigan's workforce is employed in construction, however construction fatalities account for nearly 50 percent of all fatal workplace accidents.

Today, the United States is concerned with the safety of the built environment from the threats of terrorist attacks or natural disasters – such as the powerful hurricanes that ravaged much of the Gulf Coast last year. In discussions throughout the country, Michigan has been cited as an example of how to achieve levels of building and worker safety without sacrificing cost effective techniques.

I am proud of our efforts and am confident that as we move through updating the Building, Residential, Rehabilitation, Electrical, Fire Safety, Mechanical and Plumbing codes we continue to maintain the priority of safety for the workers and for all those that enter into the buildings in which we live, work, play and worship.

**By Robert J. Aben Jr., Chief  
Boiler Division**

The development of Michigan's initial boiler law resulted from yesterday's technology. Those vessels built to unknown standards, resulted in catastrophic failure on the average of one every four days and 50,000 deaths a year. In fact, in the late 1800's boiler explosions happened so often and were so misunderstood they were considered an act of God. They happened so often that only the most spectacular occurrences made front-page news. Today, nearly 145 years from the most catastrophic boiler explosion that killed 1,500 people, boiler explosions still do not make front-page news, but now only for a different reason - they DO NOT happen, or at least not very often.

Boiler explosions do not happen because laws have established standards for the design, construction, installation, repair and inspection of boilers. The boiler industry and all of its participants should be commended for their efforts toward advancements in technology and standards that have truly benefited the residents of Michigan by providing for safer and more efficient boilers.

Questions may be directed to the Boiler Division at (517) 241-9334.

## BCCFS CONTACT INFORMATION

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### **Mailing Addresses:**

P.O. Box 30254 (Codes: general correspondence)

P.O. Box 30255 (Codes: permits, licenses, and other documents containing payment)

P.O. Box 30700 (Office of the State Fire Marshal, Office of Fire Fighter Training)

P.O. Box 30704 (Office of Land Survey and Remonumentation)

P.O. Box 30222 (Office of Local Government and Consumer Services)

**Lansing, Michigan 48909**

### **Telephone Numbers:**

Administration (517) 241-9302

Office of Administrative Services (517) 335-2972

Office of Management Services (517) 241-9313

Boiler Division (517) 241-9334

Building Division (517) 241-9317

Electrical Division (517) 241-9320

Elevator Safety Division (517) 241-9337

Office of Fire Fighter Training (517) 373-7981

Mechanical Division (517) 241-9325

Office of Local Government and Consumer Services (517) 241-9347

Office of Land Survey and Remonumentation (517) 241-6321

Office of the State Fire Marshal (517) 241-8847

Plan Review Division (517) 241-9328

Plumbing Division (517) 241-9330

[www.michigan.gov/bccfs](http://www.michigan.gov/bccfs)

# BUILDING DIVISION

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## NEW REQUIREMENTS FOR SMOKE ALARMS

**By Larry Lehman, Chief  
Building Division**

Legislation enacted into law in the spring of 2004 requires the installation of smoke alarms in buildings and structures constructed before November 6, 1974. This legislation also required amendments to the existing Michigan Building and Residential Codes and the Michigan Rehabilitation Code for Existing Buildings. The amendments establish the standards and requirements for the installation of smoke alarms in a building or structure described in the legislation. Pursuant to the applicable legislation, building owners have one year from March 14, 2006, the effective date of the code amendments, to have the smoke alarms installed.

The law requiring amendments to the codes, states in part; that smoke alarms will be installed in structures constructed before the 6<sup>th</sup> day of November 1974. This does not mean that every inspector is going to review every structure in their jurisdiction and require the owner to install smoke alarms. The intent of the law is that after March 14, 2007, when an inspection is performed in a structure constructed before November 6, 1974 the inspector is required to site a violation for the lack of a smoke alarm. The violation could come from an inspection performed as an annual inspection of a rental property or if there is any work requiring a permit; however, the violation must be cited by an inspector registered under 1986 PA 54.

The reason for the date of November 6, 1974 is this is the date when Michigan first adopted a state code. The code provided the state construction standards governing the construction, use and occupancy of buildings and structures. Before this time, a city, village, township, or county was not required to enforce a basic building code. After this date, the governmental subdivisions agreed to enforce a minimum building code and could choose a nationally recognized code or the state code and enforce it in their area of jurisdiction.

The first mention of any alarms in a residential setting is in the 1970 edition of The BOCA Basic Building Code in Chapter 1219.0 which reads in part: . . . Hotels, lodging houses, dormitories and bath houses having more than fifteen sleeping rooms above the first floor with an occupancy load of fifty or more shall be equipped with an approved fire alarm system. The first language for the requirements for smoke alarms was in the 1975 edition of The BOCA Basic Building Code in Chapter 1216.0. Specifically 1216.4 which in part reads: Each dwelling unit shall be provided with a minimum of one approved smoke detector sensing visible or invisible particles of combustion installed in a manner and location approved by the authority having jurisdiction.

The first mention of the requirement for location of smoke detectors was written in the 1978 edition of The BOCA Basic Building Code in Chapter 1216.3.3 which reads in part: . . . in each guest room, suite or sleeping area of use group (R-1), dwelling unit within building of use groups (R-2) Or (R-1) and (R-4). Each dwelling unit shall be provided with a minimum of one approved smoke detector installed in a manner and location approved by the authority having jurisdiction. In buildings having basements or cellars an additional smoke detector shall be installed. The detector shall provide an alarm suitable to warn the occupants within the individual dwelling unit.

The current Michigan Building Code Section 907.2.10.1.2 reads in part: Smoke alarms are required on the ceiling or wall outside of each separate sleeping area, in each sleeping room and on each story within a dwelling unit including basement. The Michigan Residential Code, Section R313.1 reads in part: Smoke alarms are required in each sleeping room, outside each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the dwelling, including basements.

Questions may be directed to the Building Division at (517) 241-9317.

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*You may ask:  
How do we  
enforce this? Or  
What are my  
responsibilities?*

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# ELECTRICAL DIVISION

## ELECTRICAL LICENSE EXPIRATION DATE

By Virgil Monroe, Chief

### Electrical Division

There is some uncertainty as to the expiration date of electrical master and journeyman licenses, fire alarm specialty technician licenses, and sign specialists licenses.

The [Electrical Administrative Act, 1956 PA 217](#), 338.883 Sec. 3 (6) states, **“Except as otherwise provided in subsection (9), a license issued under this act expires on December 31 of each year and is renewable not more than 60 days after that date upon application and payment of the appropriate fee as described in subsection (3), (4), or (5).”** This means the license is no longer valid and a fine, as required by R 338.1022a (d) of the Electrical Administrative Board General Rules, will be imposed after March 1.\_

338.888b Sec. 8b (5) states, **“Activity regulated under this act and requiring licensure or registration shall not be performed by a person whose license or registration has been suspended or revoked or whose license or registration has expired.”**

Therefore, it is a violation of the act if work is being conducted under an expired license. If a master who is qualifying a company does not renew his or her master license before the December 31 expiration date, the contractor’s license is also invalid. To avoid any licensing problems, renew the license as soon as the renewal application is received.

Questions may be directed to the Electrical Division at (517) 241-9320.

## EXAMINATION SCHEDULE

Examination	Date	Location	Deadline
Boiler Installer and Repairer	June 7, 8	Okemos	May 5
Boiler National Board	June 7, 8	Okemos	May 5
Electrical Contractor/Fire Alarm	April 28	Okemos	March 30
Contractor/Sign Contractor	May 25	Escanaba	April 27
	June 23	Okemos	May 23
	July 25	Okemos	June 27
	August 23	Okemos	July 26
Electrician - Journeyperson	May 24	Escanaba	April 26
	June 19, 20, 21	Okemos	May 22
Electrician - Master	May 25	Escanaba	April 27
	June 22	Okemos	May 25
Fire Alarm Specialty Technician and Sign Specialist	July 19	Okemos	June 21
Elevator - Cont./Cert. of Comp.	June 16	Okemos	May 26
	August 25	Okemos	August 4
Elevator Journeyperson	May 16	Okemos	April 25
	July 18	Okemos	June 27
Mechanical Contractor	June 13	Lansing	May 15
	August 8	Escanaba	July 11
Plumbers - Contractor	June 13	East Lansing	
	July 13	Escanaba	
Plumbers - Master and Journey	June 7	East Lansing	
	July 13	Escanaba	

**Dates and times are subject to change. Visit the [BCCFS web site for updates](#).**

The Bulletin is a quarterly publication of the Bureau of Construction Codes and Fire Safety within the Department of Labor & Economic Growth.

### Editor in Chief

Henry L. Green

### Editor:

Beth Hunter Aben

Created under the authority of  
1972 PA 230.

# ELEVATOR SAFETY DIVISION

## OPEN BOOK EXAMINATIONS

By Calvin W. Rogler, Chief  
Elevator Safety Division

The Elevator Safety Division has been using open book examinations for Elevator Journeyperson, Elevator Contractor and Certificates of Competency since December 31, 2003. The division has reviewed the results of the examinations taken during this time period and have formulated the following conclusions:

1. Discussions with examinees have revealed that many are not studying for the examination. When asked why, they say it is because it is an open book examination and all the answers are in the book.

The examinees are correct. All of the answers to the examination are in one of the several books permitted during the examination. However, the two hours permitted to take the examination does not allow enough time to research every question and find the correct answer. It was not the intent of the Elevator Safety Division to lower the expertise necessary to pass the exam. Examinees should study with the intent of remembering enough information to answer most questions; thereby leaving only a few questions they may need to research.

2. A review of the questions missed by examinees has led the division to believe someone may be passing around an old study guide. Many of the questions missed seem to be missed by several examinees with most giving the same wrong answer.

Discussions between the examination proctors (inspectors) and examinees have revealed many applicants are using a study guide. Many of the examination questions missed were answered to the old (ASME A17.1-1993-94) elevator code requirements. It would appear the study guide being used was not updated to reflect the new elevator code rules. Studying for an examination is hard enough without wasting a lot of time and effort studying outdated or incorrect material.

3. Many examinees have stated the time limit for the examination should be extended. They feel two hours does not give

them enough time to look up the answers. As stated above, it was never the intent of the division to lessen the standards for this examination nor was it the intent to permit an extended time to find the answers.

Many of the examination applicants have told examination proctors (inspectors) that they have not spent much time actually researching information in the code books. The division is not sure why the examinees would feel they could pass an examination without first reviewing the code books. Code books are quite different than any other books. The only way to become proficient in researching information in a code book is to practice, practice, and practice.

4. During examinations the proctors (inspectors) are finding many examinees not bringing all the code books that could be used for research. Examinees are not required to use any code books during the examination. However, they are allowed to have them to research examination questions.

Depending on the type of license applied for, the examination questions are formulated from several or all the code books currently used by the Elevator Safety Division, they are; A17.1, A18.1, A90.1, A10.4, Michigan Electrical Code, Michigan Elevator Rules, and Act 227 & Act 333. It would be wrong to assume one could pass the examination if he or she is familiar with only one of the many code books.

The Elevator Safety Division makes every attempt to assure the integrity of the examinations. The questions have been reviewed to guarantee they are fair and not misleading. The answers are correct with the current editions of the code books. The capability to pass this exam is based on the applicant's knowledge, skill, expertise, and aptitude. Anyone who passes an exam given by the Elevator Safety Division should have a feeling of pride and accomplishment.

Questions may be directed to the Elevator Safety Division at (517) 241-9337.

## STATE HOLIDAYS OBSERVED - OFFICES CLOSED:

**Memorial Day**  
Monday , May 29

**Independence Day**  
Tuesday, July 4

**Labor Day**  
Monday, September 4

# FIRE FIGHTERS' TRAINING COUNCIL

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## NEW OFFT FIRE OFFICER I & II, E12A COURSE

**By Joseph A. Grutza, Director  
Office of Fire Fighter Training**

The Office of Fire Fighter Training (OFFT) is rolling out the Thomson Delmar "Company Officer" program as the new OFFT Fire Officer course. To avoid confusion the course will be referred to as the "Company Officer I & II," E12A course.

The Michigan Fire Fighters' Training Council passed a motion at the February 8, 2006 meeting to grant instructors who attended the Maryland Fire Rescue Institute Fire Officer I & II train-the-trainer program and have actively instructed this program, since its inception in the year 2000, be allowed to instruct the New FFTC Fire Officer I & II, E12A course effective immediately.

A list of the MFFTC instructors that registered a Maryland Fire Rescue Institute Fire Officer I & II course (E01B & E02B), **actively instructed**, and sent in final course paperwork can be found on the OFFT web page of the BCCFS web site at: [www.michigan.gov/bccfs](http://www.michigan.gov/bccfs). The instructors on this list can register the new Company Officer I & II, E12A course by submitting a course application, form number BCCFS-110 form to their respective Region Supervisor.

The OFFT does not have this material available and will not provide it to instructors or students. Instructor materials and student materials for the new Company Officer I & II can be obtained through the following Michigan vendors:

- Michigan State Firemen's Association (800) 445-3844
- Time Emergency (800) 752-8504

### IMPORTANT COURSE MANAGER AND INSTRUCTOR INFORMATION

#### Student Prerequisites:

- Member of an organized fire department
- Eighteen years of age or older
- Must have successfully completed Fire Fighter I & II or the previous 240-hour course to qualify to take the Company Officer I & II program
- Must have completed three years in the fire service on or before the first class session

#### Students must have successfully completed the following courses before entering the Company Officer I & II program:

- Educational Methodology, H03A.
  - Students who meet either of the following criteria will be granted an equivalency for the Educational Methodology, H03A, course:
    - passed the Emergency Medical Services Coordinator course
    - hold a baccalaureate degree in education or a current certificate in education (e.g. teaching certificate)(Note: The NFA course, Instructional Techniques for Company Officer, is not considered equivalent to the MFFTC Educational Methodology course.)
- NIMS-Incident Command System for the Fire Service, L13A. Students that have the MFFTC Incident Command System, F03A, certificate are granted an equivalency. There are no other ICS equivalencies.
- Incident Safety Officer, G05A. There are no equivalencies.
- Managing Company Tactical Operations-Preparing, L05A.
- Managing Company Tactical Operations-Decision Making, L06A.
- Strategy and Tactics for Initial Company Operations, L08A.
- Thomson Delmar Fire Fighting Strategies and Tactics program can be taken as a stand-alone program, or successful completion of **all** of the following courses will be accepted as its equivalent:
  - Managing Company Tactical Operations-Preparing, L05A
  - Decision Making, L06A
  - Strategy and Tactics for Initial Company Operations, L08A

The National Fire Incident Reporting System program is suspended from being a prerequisite.

*Continued on next page.*

# NEW OFFT FIRE OFFICER I & II, E12A COURSE, CONTINUED

It will be the responsibility of the course managers and instructors to make sure that students have completed the prerequisites or have completed the prerequisites and are waiting for a certificate to be issued from the OFFT, before entering the program. Course managers and instructors will be held accountable. No exceptions will be granted.

## **Registering the Company Officer I & II program:**

- Submit a BCCFS-110 Course Application to the region supervisor six weeks prior to the start of the class.
- Submit a BCCFS-231 Examination Request - Fire Officer I and/or II with the BCCFS-110 form. Tests will be mailed to the course manager 10 days prior to the test date. **Course managers and instructors who release test information early will lose instructor certification.**

## **Materials shipped and scheduled:**

- Course managers will receive a BCCFS-110 course approval prior to course start date.

Testing materials to be mailed 10 days prior to testing date:

- Company Officer I & II examinations
- Test scan answer sheets
- Student evaluations

## **Forms:**

The following forms are to be used with this course and can be found on the [www.michigan.gov/bccfs](http://www.michigan.gov/bccfs) web site:

- BCCFS-110 Course Application
- BCCFS-102 Student Roster
- BCCFS-111 Course Change/Cancellation
- BCCFS-200 Attendance Roster
- BCCFS-231 Examination Request - Fire Officer I and/or II
- BCCFS-250 Instructor Activity and Payment

## **Final course paperwork:**

- Company Officer I & II examinations
- Test scan answer sheets
- Student evaluation scan sheets
- BCCFS-102 Student Roster
- BCCFS-250 Instructor Activity and Payment

The bulleted items are required final paperwork that must be returned to the OFFT Lansing office no later than **10 days** after the course end date.

Questions may be directed to the Office of Fire Fighter Training at (517) 241-0695.



# LAND SURVEY & REMONUMENTATION

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## 2006 SURVEY & REMONUMENTATION

### GRANTS HEIGHT MODERNIZATION PROJECT

By Maynard Dyer, Director

Office of Land Survey and Remonumentation

In December, 1990, the Legislature passed and the governor signed into law the [State Survey and Remonumentation Act, 1990 PA 345](#), which provided for the remonumentation of the original United States public land survey corners that serve as the basis for all public and private property locations in Michigan. Both Act 345 and companion Act 346 that authorized the collection of fee revenue to fund the program became effective on January 1, 1991.

The Department of Labor & Economic Growth is charged with the responsibility of coordinating “the restoration, maintenance, and the preservation of the land survey records of vertical and horizontal monuments, the public land survey system, and the property controlling corners established by the United States public land survey and by the national geodetic survey within this state...” (Sec. 6a).

As required by the act, the department established and maintains a calendar year grant program to counties and awarded grants totaling \$4 million to all of Michigan’s 83 counties in 1993, the first year grants were awarded by the program.

In 1994, all 83 counties submitted an application and grants were awarded totaling \$5 million. In 1995, again, all 83 counties submitted an application, and grants were awarded totaling \$3 million. Early in the 1995 grant year, Huron County withdrew from the grant program.

In subsequent years - 1996, 1997, 1998, and 1999 - all 83 counties submitted an application, and grants were awarded totaling \$4 million for each year.

Since that time, grant totals have grown to a total of \$10 million awarded in 2005, and an anticipated \$10.13 million in 2006 with all 83 counties participating in the program.

The State Survey and Remonumentation Act also requires

that the Department of Labor & Economic Growth coordinate the extension, densification, and maintenance of the horizontal and vertical control networks initiated by the federal government through the National Oceanic and Atmospheric Administration/ National Ocean Service/National Geodetic Survey (NOAA/ NOS/NGS).

In 2006, the NGS is initiating additional vertical work for a height modernization project in Macomb, St. Clair, Wayne, and possibly Oakland Counties. Height modernization is an extension or densification of vertical control networks necessary as a result of the shifting of the continental plates, the practical result is that Chicago is sinking and the Mackinac Bridge is rising relative to mean sea level. Additionally, glacial rebound has impacted the position of many benchmarks.

The Global Positioning System (GPS) equipment, such as continuously operating reference stations (CORS), and procedural techniques have advanced greatly making the determination of vertical positioning quite accurate using GPS once Height Modernization has been completed.

Michigan Department of Transportation (MDOT) and NGS State Advisor Dave Rigney will carry out the major portion of the Height Modernization project funded by a grant from the federal government. To carry out the remonumentation charge to coordinate the county remonumentation activities with NGS densification work, it has been requested that these counties include the necessary control station recoveries identified by MDOT/NGS in their 2006 work program and prioritize their work program to benefit the county, NGS, and MDOT. All four counties have responded favorably to that request.

Questions may be directed to the Office of Land Survey and Remonumentation at (517) 241-6321.

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## BOARDS AND COMMISSIONS

Meeting	Date	Time	Location
Barrier Free Design Board	May 19, July 21	9:30 am	Okemos – Conf Room 3
Board of Boiler Rules	June 13	9:30 am	Okemos – Conf Room 3
	Sept 12	9:30 am	Okemos – Suite 116
Construction Code Commission	May 3, July 12, Sept 13	9:30 am	Okemos – Conf Room 3
Electrical Administrative Board	April 21, June 2, Aug 4	9:30 am	Okemos – Conf Room 3
Elevator Safety Board	June 16, Aug 25	9:30 am	Okemos – Conf Room 3
Fire Fighters’ Training Council	April 12, June 14, Aug 9	10 am	Okemos – Suite 116
Manufactured Housing Commission	April 19, June 14, Aug 16	10 am	Okemos – Conf Room 3
Board of Mechanical Rules	May 24, July 26, Sept 27	9 am	Okemos – Conf Room 3
State Fire Safety Board	May 25, June 22, July 27	1 pm	Okemos – Conf Room 3
State Plumbing Board	April 11, June 6	10 am	Okemos – Conf Room 1
	July 12	8:15 am	UP State Fairgrounds, Escanaba
Michigan Joint Fire Service Council	April 20, May 18, July 20	10 am	Okemos – Conf Room 3



# LOCAL GOVERNMENT & CONSUMERS SERVICES

## WORKMANSHIP! CODE VIOLATION OR NOT?

By Scott Fisher, Director

### Office of Local Government and Consumer Services

Prior to the adoption of the 2000 Michigan Codes, the “workmanship” section of the building code helped simplify the lives of many building inspectors in Michigan. Particularly those who performed inspections and completed reports that related to complaints filed against a licensed residential builder or maintenance and alteration contractor. With the adoption of the 2000 Michigan Codes, that section has vanished.

Every time the office spoke with someone about an issue that was covered under the removed section, his or her take on the matter was always different, which resulted in more confusion.

After discussing the “workmanship” matter with the bureau’s administration and the Enforcement Division of the Bureau of Commercial Services, it was felt that an article would help answer any questions that may still exist. It is with that in mind that the following information is provided.

Although “workmanship” is not specifically addressed as it once was in the building code, poor workmanship or workmanship not meeting the standards of the custom or trade, is a violation of 1980 PA 299, Occupational Code, Section 2411 (2) (m). Section 2411 (2) states: “A licensee or applicant who commits 1 or more of the following shall be subject to the penalties set forth in article 6”... Section 2411 (2)(m) states: “Poor workmanship or workmanship not meeting the standards of the custom or trade verified by a building code enforcement official.”

When conversing with building inspectors around the state about complaint investigations, a number of them indicated that they were under the assumption that they no longer had the authority to check the workmanship column of the report. That assumption is not correct. As part of an investigative team, building inspectors not only have the authority to identify workmanship problems, they have a responsibility to do so as prescribed by [1972 PA 230](#), Section 12 (1) which states: “An enforcing agency shall periodically inspect all construction undertaken pursuant to a building permit issued by it to insure that the construction is performed in accordance with conditions of the building permit and is consistent with requirements of the code and other applicable laws and ordinances.” The other applicable law in this case is the Occupational Code, and the Residential Builders and Maintenance and Alteration Contractors General Rules.

So remember, when completing a report relating to a complaint against a residential builder or maintenance and alteration contractor, “workmanship” problems should be identified. However, merely checking the box on the report does not help much. A brief description of what was witnessed, and its location needs to be provided. It is always helpful if a picture of the problem accompanies the report.

Questions relating to the completion of a report for the Bureau of Commercial Services should be directed to their Enforcement Division at (517) 241-9202. Other questions may be directed to the Office of Local Government and Consumer Services at (517) 241-9347.

## MECHANICAL DIVISION

### VENTILATION REQUIREMENTS

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By David Adams

#### Mechanical Division

The Mechanical Division has received a number of questions about when ventilation is required. Every occupied space shall be ventilated by natural means or by mechanical means. If the space is ventilated by natural means, it is not necessary to utilize mechanical means. Natural means is through windows, doors, louvers or other openings to the outdoors, and having ready access so that the openings are readily controllable by the building occupants. The minimum openable area to the outdoors shall be four percent of the floor area being ventilated. See Section 402 in

the Michigan Mechanical Code 2003 edition.

If a structure does not meet the test for natural means, then it must be ventilated by mechanical means. This includes the use of air and return, or exhaust air. The ventilation supply systems shall be designed to deliver the required rate of supply air. The minimum ventilation rate of required outdoor air shall be determined in accordance with Section 403.3 of the Michigan Mechanical Code 2003 edition.

Questions may be directed to the Mechanical Division at (517) 241-9325.

# MANUFACTURED HOUSING COMMISSION

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By Kevin DeGroat

Office of Local Government and Consumer Services

The Manufactured Housing Commission sanctioned licenses of a manufactured housing community and two manufactured home retailers at its February 8, 2006, meeting. The commission penalized a community operator for selling manufactured homes without a retailer license; failing to convey titles for manufactured home sales and comply with sales, deposit, signage and documentation regulations; and not securing a state health compliance certificate.

The commission fined and revoked the license of a retailer that failed to deliver home titles, escrow consumer deposits and

comply with records keeping rules and conditions of two previous Consent Agreements. The commission fined another dealer for failing to keep records and apply for titles and ordered the offender to document correction of outstanding violations, subject to additional fines, license revocation and restitution for subsequent noncompliance.

These complaints were presented to the commission for final action after the licensees failed to answer or comply with previous orders.

Questions about these cases may be directed to the Office of Local Government and Consumer Services at (517) 241-9347.

## PLAN REVIEW DIVISION

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### PROPERLY ISSUED CERTIFICATE OF OCCUPANCY

By Irvin J. Poke, AIA, Chief

Plan Review Division

It has become known to the bureau that some enforcing agencies are issuing Certificates of Occupancy without approval of the boiler. This is a violation of the code and the law. The Michigan Building Code (MBC) section 110.1 states;

**"110.1 Use and Occupancy.** A building or structure shall not be used or occupied, and a change in the existing occupancy classification of a building or structure or portion thereof shall not be made until a certificate of occupancy has been issued in accordance with section 13 of [1972 PA 230](#), MCL 125.1513."

Section 13 of 1972 PA 230 states; "A certificate of use and occupancy shall be issued by the enforcing agency when all the work covered by a building permit has been completed in ac-

cordance with the permit, the code and other applicable laws and ordinances." The language requires that any law applicable to the project must be complied with before the certificate of occupancy is issued.

The [Michigan Boiler Act of 1965](#), 1965 PA 290, requires that any boiler in a non-residential building or a residential building with six or more dwelling units must be installed by a licensed boiler installer that secures a boiler permit. This permit is in addition to permits under 1972 PA 230. The enforcing agency shall not issue a certificate of occupancy until the boiler inspector approves the boiler and the project complies with "the code and other applicable laws and ordinances."

Questions may be directed to the Plan Review Division at (517) 241-9328 or the Boiler Division at (517) 241-9334.

## PLUMBING DIVISION

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### RENEWAL OF PLUMBING LICENSES

By Robert Konyndyk, Chief

Plumbing Division

The purpose of this article is to explain the law related to those individuals who have not renewed their journey, masters and contractors license for more than three years. Explanations on this matter are appropriate because the new plumbing law will be in effect for three years on March 31, 2006.

The [State Plumbing Act, 2002 PA 733](#), Section 31 (4) establishes criteria for individuals who have not renewed their licenses for three consecutive years. Those individuals will be required to reexamine and successfully pass the examination in order to be licensed.

Licensed master and journey plumbers have never been required to hold both licenses at the same time. Individuals having both licenses had the opportunity to move from one license to another upon request - if an individual has held one of the licenses for three consecutive years they will not be required to reexamine.

A person who has not renewed a license since March 31, 2003 will be required to reexamine. Journey licensees are reminded that the renewals shall be consecutive and in accordance with the law.

Questions may be directed to the Plumbing Division at (517) 241-9330.

# STATE FIRE MARSHAL

## KEEP SAFE FROM FIRES DURING THE SUMMER MONTHS

By Andy Neumann, State Fire Marshal

Although more fire deaths occur during the winter months, the Office of the State Fire Marshal (OSFM) wants to make everyone aware that many outdoor summer activities carry potential fire hazards. To keep everyone in Michigan safe from fires and burns, the OSFM recommends the following tips:

### Barbecue Safety

In 1999 alone, gas and charcoal grills caused 1,500 structure fires and 4,200 outdoor fires in or on home properties, resulting in a combined direct property loss of \$29.8 million, according to NFPA.

- When using barbecue grills on decks or patios, be sure to leave sufficient space from siding and eaves.
- Always supervise a barbecue grill when in use.
- Keep children and pets far away from grills.
- With charcoal grills, only use charcoal starter fluids designed for barbecue grills and do not add fluid after coals have been lit.
- With gas grills, be sure that the hose connection is tight and check hoses carefully for leaks. Applying soapy water to the hoses

will easily and safely reveal any leaks.

- Always follow the manufacturer's instructions and have the grill repaired by a professional, if necessary.

The US Consumer Product Safety Commission suggests that before purchasing a grill or container, that it bears the mark of a nationally recognized testing laboratory.

### Camping safety

- Always use a flame retardant tent and set up camp far away from the campfire.
- Only use flashlights or battery-powered lanterns inside the tent or any other closed space, not liquid-filled heaters or lanterns.
- Always build the campfire down wind from the tent. Clear all vegetation and dig a pit surrounded by rocks before building the campfire.
- Store liquid fire starter (not gasoline) away from the tent and campfire and only use dry kindling to freshen a campfire.
- Always put out a campfire when going to sleep or leaving the campsite. To extinguish the fire, cover with dirt or pour water over it



### Fireworks

Fireworks lead to thousands of injuries requiring emergency room treatment. These dazzling, but dangerous devices can burn up to 1200 degrees Fahrenheit and can cause burns, lacerations, amputations and blindness. The safest way to enjoy fireworks is by attending a public fireworks display. The Office of the State Fire Marshal advises consumers to follow these safety tips to help reduce the chances of a destructive fire and/or injury:

- Read and follow the directions on fireworks packages.
- Make sure adults supervise all use of fireworks. Young children should not play with fireworks. Even sparklers can cause a serious burn injury.
- Do not point or throw fireworks at people.
- Use fireworks in an open area away from dry grass and other flammable materials. Keep a bucket of water nearby for emergencies.
- Light fireworks one at a time. Do not try to re-ignite fireworks. Soak in water fireworks that did not ignite. Do not attempt to repair broken fireworks.
- Be sure other people are out of range before lighting fireworks.
- Store fireworks in a cool, dry place.

Summer is often a time when children are left alone, or have limited adult supervision providing an even greater potential for fire and injury. Parents are urged to make sure children know how to call their emergency services number to report a fire or injury, to never touch matches and lighters and to get out and stay out if their home does catch fire.

Questions may be directed to the Office of the State Fire Marshal at: (517) 241-8847.

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## REMINDER - 2006-2007 SUBSCRIPTION RENEWALS DUE BY JULY 31.

Subscription renewals for the August 2006 through August 2007 cycle are due by July 31, 2006.

If you have not done so already, mail a check or money

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